IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

WP(C).No. 10778 of 2004(G)

PETITIONER:

N. MOHAN LAL, S/O. NARAYANAN,
AGED 74 YEARS, "GURUJYOTHI",
SIVAGIRI, VARKALA.

BY ADV. SRI.M.BALAGOVINDAN
SRI.P.M.JOSEPH

RESPONDENTS:
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1. VARKALA MUNICIPALITY, REPRESENTED BY ITS SECRETARY, VARKALA MUNICIPALITY BUILDING, VARKALA.

2. KAISUDEEN. Y., RANI MANZIL, CHERUKUNNAM DESOM, VARKALA VILLAGE.

3. RAMLA BEEVI, W/O MUHAMMED, RAMLA MANZIL, CHERUKUNNAM, VARKALA.

BY ADV. SRI.C.R.SIVAKUMAR --- R3
SRI.G.S.REGHUNATH -- R1

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 10778/2004 G

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE REPRESENTATION BY THE PETITIONER TO THE RESPONDENT DT. 14/12/98.

EXT.P2. COPY OF THE REPRESENTATION TO THER ESPONDENT DT. 12/2/99.

EXT.P3. COPY OF THE REPRESENTATION TO THE RESPONDENT DT. 2/2/2001.

EXT.P4. COPY OF THE JUDGMENT IN OP NO. 8054/2001 OF THIS COURT DT.9/3/2001.

EXT.P5. COPY OF THE COVERING LETTER SUBMITTED ALONG WITH THE JUDGMENT.

EXT.P6. COPY OF THE PHOTOGRAPHS THAT SHOWS THAT ILLEGAL CONSTRUCTION MADE BY THE R2.

RESPONDENT'S EXHIBITS **NIL**

True copy

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KURIAN JOSEPH J.

W.P.(C) No.10778 of 2004

Dated 13th July, 2007.

J U D G M E N T

The writ petition is filed mainly with the following prayer :-

> "Issue a writ of mandamus or any other appropriate writ, direction or order directing the 2nd respondent to take steps to demolish/dismantle the unauthorised construction in the property of the respondents 3 & 4 and remove the cow shed and cow dung pit from the present site so as to avert/prevent the nuisance to the petitioner and his family, within a time limit prescribed by this Hon'ble Court."

In case the petitioner has still any grievance left, he may produce a copy of this judgment before the first respondent, in which case, the matter will be duly considered by the first respondent with notice to the petitioner and respondents 2 and 3.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 13th July, 2007.